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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,872	04/16/2001	Mark Vange	CIRC019	5576

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HOGAN & HARTSON LLP
ONE TABOR CENTER, SUITE 1500
1200 SEVENTEENTH ST
DENVER, CO 80202

EXAMINER
EL HADY, NABIL M

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.</td><td>Applicant(s)</td><td></td></tr>
<tr><td>09/835,872</td><td>VANGE ET AL.</td><td></td></tr>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 February 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-22</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-22</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1.   Claims 1-22 are presented for examination.

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3.   Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

        A. Claim 2 recites the limitation " the at least one intermediary server" in lines 8-9. There is insufficient antecedent basis for this limitation in the claim.

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1, 2, 12, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Bickmore et al. (Web Page Filtering and Re-Authoring for Mobile Users, 1999), hereinafter "Bickmore".

6.   Bickmore is cited by the applicant in IDS paper filed 11/25/2002.

7.   As per claim 1, Bickmore discloses the invention as claimed including a method for

delivering network resources comprising the acts of: establishing request-response traffic

between a first and second computer (User and Web Server, Fig. 1; and sec. 3, The Digestor

System); and reformatting the request/response traffic at least once in at least one intermediary

computer (Digestor Proxy, Fig. 1) between the first and second computer (sec 3.1 overview).

8.   As per claim 2, Bickmore discloses the first computer comprises a client (User, Fig. 1)

and the second computer comprises a serve (Web Server, Fig. 1), and the act of establishing

request response traffic comprises: generating a client request specifying resources available

on the server (process 1, Request for URL, Fig. 1; and sec. 3.1 Overview); retrieving the

specified resources (process 3, Fig. 1; and sec. 3.1 Overview); generating a response to the

client request in the server (process 3, WWW page, Fig. 1) and at least one of the intermediary

computers (processes 4 and 5, Fig. 1); and forwarding the server response after reformatting

from the at least one intermediary server to the client (processes 5 and 7, Fig. 1 of Digestor

proxy; and sec. 3.1 Overview).

9.   As per claim 12,   Bickmore discloses considering special needs of the client during the

reformatting (sec. 2.4, Automatic re-authoring).

10.   As per claim 15, Bickmore discloses the reformatting comprises reformatting data

included in responses only (processes 4 and 5, Fig. 1).

11.   Claim 1 is further rejected, and claims 17 and 22 are rejected under 35 U.S.C. 102(e) as

being anticipated by Lippert et al. (US 6,626,957), hereinafter "Lippert".

12.   As per claim 1, Lippert discloses the invention as claimed including a method for

delivering network resources comprising the acts of: establishing request-response traffic

between a first and second computer (inherent in col. 1, lines 24-26, col. 7, lines 47-52; and Fig.

3); and reformatting the request/response traffic at least once in at least one intermediary

computer between the first and second computer (Server 300, Client 308, ENGINE 304, Fig. 3).

13.   As per claim 17, Lippert discloses the invention as claimed including a system for

communicating data between first (300, Fig. 3; and col. 7, lines 23-25) and second computers

(Client 308, Fig. 3), the system comprising: an intermediary computer coupled to a network

(ENGINE 304, Fig. 3); first connection components within the intermediary computer configured

to communicate data traffic with the first computer (inherent in col. 7, lines 47-49); second

connection components within the intermediary computer configured to communicate data traffic

with the second computer (inherent in col. 7, lines 51-52); and reformatting components within

the intermediary computer configured to reformat at least some of the data traffic before the

data traffic between the first and second computers (inherent in col. 7, lines 49-51). It is

inherent also that in such request-response protocol, data is communicated from the client to

the server through the second communication components and the first communication

component (col. 1, lines 24-26).

14.   As to claim 22, Lippert discloses the reformatting components comprise processes

converting from a first markup language to a second markup language (abstract).

15.   Claim 1 is further rejected and claim 13 is rejected under 35 U.S.C. 102(e) as being

anticipated by Carlino (GB 2344197 A).

16.   Carlino is cited by the applicant in IDS paper filed 7/26/2002.

17.   As per claim 1, Carlino discloses the invention as claimed including a method for

delivering network resources comprising the acts of: establishing request-response traffic

between a first and second computer (device 12 and another server on the network 20, Fig. 1);

and reformatting the request/response traffic at least once in at least one intermediary computer

between the first and second computer (Proxy server and content converter 14 and 16, Fig. 1).

18.   As to claim 13, Carlino discloses reformatting at least once in a second intermediary

computer (122, 124, and 126, Fig. 5).

19.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

20.   Claims 3-11, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bickmore.

21.   As to claims 3-11, the claims are rejected for the same reasons as claims 1-2 above. In addition, Bickmore establishes by his disclosure a proxy server that interfaces a request response traffic between a first computer and a second computer for the purpose of performing content conversion in the proxy itself. It is well known in the art to use such proxy servers to perform variety of special functional processes for content conversion (see, for example Bickmore, sec. 2.4, lines 6-21) instead of performing these special functions on the first computer or the second computer. Performing these special functions, e.g. convertion, transformation, reformatting, or translation, on an intermediate proxy server would conserve communication bandwidth and computer memory (see, for example, Bickmore, sec. 2.5). It would have been obvious to one skilled in the art at the time of the invention to use such proxy server to perform any type of content conversion including converting graphic data format, converting executable program constructs, converting a java script and an ActiveX component, converting formatted text, converting between different text languages, converting hypertext link from absolute to relative, converting between different markup languages, converting document formats, converting compression level. Anyone of these types of content conversion is well known to one skilled in the art at the time of the invention, and would be implemented in Bickmore intermediate proxy server in order to achieve content conversion for universal request response traffic with conservation of communication bandwidth and computer memory (see, for example, Bickmore, sec. 2.5). Claims 3-11 include limitations as naming different types of content conversions that do not by themselves introduce any novelty as these conversions are well known and obvious to one skilled in that art. Utilizing Bickmore's system to a variety of content conversion processes does not make it novel either.

22.   As per claim 16, Bickmore does not specifically disclose resolving links within the request/response traffic to identify network resources pointed to by the links; retrieving resources pointed to by the links; embedding resources pointed to by the links in-line with other data in the request/response traffic; and forwarding the request/response traffic after embedding. However, Bickmore discloses that for handheld device HDML 2.0 does not b support images and embedded links so that alternative means have to be used to present navigation choices (sec. 3.3.4), and that navigation within a webpage is based on current content (sec. 3.4.3.3rd paragraph). It would have been obvious to one skilled in the art at the time of the invention to resolve links within the request/response traffic to identify network resources pointed to by the links; retrieve sources pointed to by the links; embed resources pointed to by the links in-line with other data in the request/response traffic; and forwarding the request/response traffic after embedding, as a simple alternative means to be used to present navigation choices that is based on current content.

23.   Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lippert.

24.   As to claims 18-21, the claims are rejected for the same reasons as claims 17 and 22 above. In addition, Lippert establishes by his disclosure a proxy server (ENGINE) that interfaces a request response traffic between a first computer and a second computer for the purpose of performing content conversion in the proxy itself. It is well known in the art to use such proxy servers to perform variety of special functional processes for content conversion instead of performing these special functions on the first computer or the second computer. Performing these special functions, e.g. conversion, transformation, reformatting, or translation, on an intermediate proxy server would conserve communication bandwidth and computer memory. It

would have been obvious to one skilled in the art at the time of the invention to use such proxy server to perform any type of content conversion including graphic data format conversion, compilation, media file conversion, and data compression. Anyone of these types of content conversion is well known to one skilled in the art at the time of the invention, and would be implemented in Lippert's intermediate ENGINE in order to achieve content conversion for universal request response traffic with conservation of communication bandwidth and computer memory. Claims 18-21 include limitations as naming different types of content conversions that do not by themselves introduce any novelty as these conversions are well known and obvious to one skilled in that art. Utilizing Lippert's system to a variety of content conversion processes does not make it novel either.

25.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carlino.

26.   As per claim 14, Carlino does not explicitly disclose undo of at least some of the reformatting of the first computer in the second computer. However, Carlino discloses a number of conversion operations that are performed in different computer and in accordance with a conversion script (Fig. 5). It would have been obvious to one skilled in the art at the time of the invention that a conversion script may as well include undo of at least some of the reformatting of one of the computers in a second computer in order to satisfy the requirements for certain communication protocols for example.

27.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lonnroth et al. (US 6,826,597) ; Barrall et al. (US 6,826,615) ; Houlberg et al. (US

5,333,198); Kusuda et al. (US 6,567,848) ; Slater et al. (US 6,654,796) ; Van (US

6,658,476) ; Ohkado et al. (US 6,668,276); Tran et al. (US 6,253,367) ; and Kumaki (US

6,219,716).

28.   Applicant's arguments with respect to claims 1-22 have been considered but are moot in

view of the new ground(s) of rejection.

29.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Nabil M. El-Hady whose telephone number is (571) 272-3963. The

examiner can normally be reached on 9:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 21, 2005

Nabil El-Hady, Ph.D, M.B/A.
Primary Patent Examiner
Art Unit 2154